

## APPENDIX A

### PROPOSED TOD OVERLAY ZONING DISTRICT LOCAL LAW TEMPLATE FOR THE VILLAGE OF BREWSTER

Mayor \_\_\_, seconded by \_\_\_, introduced the following proposed local law, to be known as Local Law No. \_\_\_ of 2014, entitled A LOCAL LAW OF THE VILLAGE OF BREWSTER, NEW YORK, TO ADD NEW SECTION 263-16.2 OF CHAPTER 263 “ZONING” OF THE VILLAGE CODE OF THE VILLAGE OF BREWSTER, TO CREATE A TRANSIT ORIENTED DEVELOPMENT (TOD) OVERLAY DISTRICT AND TO AMEND THE ZONING MAP OF THE VILLAGE OF BREWSTER.

Section 1. BE IT ENACTED, by the Village Board of the Village of Brewster, that Chapter \_\_\_ of the Village Code is amended to add new section \_\_\_ as follows:

#### § 263-162. Transit Oriented Development (TOD) Overlay Zoning District

A. Purpose and Intent. The purpose and intent of the Village of Brewster TOD Overlay Zoning District is to:

1. Promote the development of a dynamic, mixed-use district of appropriate scale and magnitude surrounding the Village of Brewster MetroNorth train station;
2. Ensure that future development is consistent with the vision and recommendations of the Village of Brewster Comprehensive Plan;
3. Provide for a variety of housing types and promote mixed-income residential opportunities;
4. Create an active, interesting, and interconnected pedestrian environment that facilitates access between the Brewster Train Station and nearby residential, commercial, civic, recreational, and institutional uses;
5. Provide for connectivity of streets in the vicinity of the Brewster Train Station;
6. Design and arrange structures, buildings, streets and open spaces to create an inviting, walkable, human-scale environment;
7. Reduce the dependence on automobile use by increasing the use of transit, providing opportunities for alternative modes of travel, and encouraging pedestrian and bicycle commuting;
8. Minimize the dedication of land to automobile parking by reducing the amount of required parking, encouraging the use of shared parking, and ensuring that parking is located and designed so as to avoid unduly dominating the district;
9. Encourage a mix of moderate and high density development within walking distance of transit stations to increase transit ridership;
10. Create a pedestrian-friendly environment to encourage walking, bicycling and transit use;
11. Provide an alternative to traditional development by emphasizing mixed

- use, pedestrian oriented development;
- 12. Create a neighborhood identity that promotes pedestrian activity, human interactions, safety and livability;
- 13. Encourage building reuse and infill to create higher densities;
- 14. Reduce auto dependency and roadway congestion by locating multiple destinations and trip purposes within walking distance of one another; and
- 15. Provide a range of housing options for people of different income levels and at different stages of life.

B. Definitions. [Stakeholders should identify those terms of common use in the TOD context and used in this legislation which are necessary for clarification and ease of application.]

C. Applicability. The provisions herein shall apply to that area in the Village of Brewster identified as the TOD Overlay Zoning District on the Zoning Map of the Village of Brewster.

D. Precedence. If the provisions applicable in the Zoning District underlying the TOD Overlay Zoning District, the provisions of the TOD Overlay Zoning District shall take precedence.

E. Permitted Uses. [Stakeholders should prepare a list of uses permitted as-of-right in the TOD Overlay Zoning District keeping in mind the characteristics desired in TOD, i.e. mixed, complimentary uses and a variety of housing types and price ranges.]

F. Special Permitted Uses. [Stakeholders should prepare a list of uses permitted by special permit in the TOD Overlay Zoning Districts keeping in mind the characteristics desired in TOD, but which they feel should be subject to the extra scrutiny of a special permit.]

G. Prohibited and Non-Conforming Uses. [Stakeholders should determine whether to include a list of specifically prohibited uses and how non-conforming uses should be treated based upon an inventory of what currently exists in the proposed TOD Overlay District Area and existing provisions of the Village of Brewster Zoning Code.]

H. Streetscapes [Stakeholders should develop standards and criteria applicable to all elements such as sidewalks, crosswalks, bike lanes, lighting, signage]  
Streetscape regulation is designed to help tie together all components of a TOD overlay district. By regulating the streetscape, the district provides increased safety for pedestrians, cyclists and automobiles as well as provides cohesion between aesthetics and functionality while promoting a visually stimulating environment.

I. Parking. [Stakeholders should review current parking provisions as set forth in the Village of Brewster Code (pursuant to recent amendments) to determine whether additional changes are necessary in the interest of promoting TOD.]

Although one of the focuses of a TOD overlay district is to promote alternative means of

transportation to the automobile it is not intended to impede automobile access to the area. When creating TOD parking regulation for the Village, it is important to look at type of parking required with respect to time of day. It may be necessary to create a “Schedule of Shared Parking” to make sure peak parking demands do not coincide. Bicycle parking must also be considered for the TOD.

J. Development Standards and Dimensional Requirements. [Stakeholders should develop appropriate bulk and area standards which result in the medium to high-density development which is a central characteristic of TOD.]

Development standards in a TOD overlay district are intended to create densities that will support transit as well as provide a pedestrian friendly environment. The standards should include building setbacks and build-to lines, requirements regarding building frontage and facades, bulk and lot coverage, floor-to-area ratio (FAR), open space and building height requirements.

Section 2. BE IT ENACTED, that the Village of Brewster Zoning Map is hereby amended to establish the TOD Overlay Zoning District in the following area:

[Stakeholders should identify an appropriate area for the TOD Overlay Zoning District and prepare a metes and bounds description of the new TOD Overlay Zoning District and a revised Zoning Map showing the new district].

Section 3. This local law shall take effect immediately upon filing with the Secretary of State.